IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 14330 of 2004

Between:

Bethel Grace Residential High School,

Alcot Gardens, Rajahmundry, E.G. District.
Rep by its Correspondent Smt. Rebeccamma,

age 55 years, W/o. Late P.M.Bob Jones

..... PETITIONER

AND

1. State of A.P. rep by its Secretary,

Education Department,
Secretariat, Hyderabad.
2. The Commissioner & Director of School Education,

Saifabad, Hyderabad.
3. The Regional Joint Director of School Education,

Kakinada, E.G. District.
4. The District Educational Officer,

E.G. District at Kakinada.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus declaring the action of the respondent in withholding the certificate of approval of the Correspondentship in respect of the petitioner institution favouring Smt.Rebeccamma in place of the expired Correspondent as being arbitrary and illegal, violative of Art.14 & 30(1) of the Constitution of India and

consequently direct the 2nd Respondent to forthwith issue approval orders in favour of Smt.Rebeccamma as Correspondent of Petitioner Institute.

Counsel for the Petitioner: MR.CH.SAMSON BABU

Counsel for the Respondent No.: GP FOR SCHOOL EDUCATION

The Court made the following:

ORDER:

Heard D.G.Chowdhary, learned counsel appearing for the petitioner and learned Assistant Government Pleader for School Education for respondents.

It is stated that the erstwhile Correspondent Sri P.M.Bob Jones, who was founder Secretary of the Institution expired on 27-11-2003. In view of the same, the society which runs the institution, in its emergency meeting held on 28-11-003 has nominated the petitioner to act as Correspondent. Accordingly, proposals were submitted to the District Educational Officer through the Deputy Educational Officer, Rajahmundry. The Deputy Educational Officer through his proceedings Rc.No.272/2003, dated 12-12-2003 favourably recommended and forwarded the same to the District Educational Officer, who in turn forwarded the same to the Commissioner and Director of School Education in January, 2004, but so far no orders are forthcoming from the second respondent.

Having regard to the fact that the proposals were already submitted for approval of correspondent-ship and are pending with the second respondent, the second respondent is hereby directed to consider the proposals submitted

by the District Educational Officer, Kakinada, Rc.No.16-A7/2000, dated 27-01-2004 within a period of four weeks from the date of receipt of a copy of this order and communicate the order to the petitioner.

The writ petition is accordingly disposed of. No costs

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31-08-2004

LSK/KMR

To

1. The Secretary,

Education Department,
Secretariat, Hyderabad.
2. The Commissioner & Director of School Education,

Saifabad, Hyderabad.
3. The Regional Joint Director of School Education,

Kakinada, E.G. District.
4. The District Educational Officer,

E.G. District at Kakinada.

5. Two C.Cs. to Government Pleader for

School Education, High Court Buildings, Hyderabad (OUT)

6. Two C.D.copies.